IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 5TH JANUARY 2007 / 15TH POUSHA, 1928

Bail Appl..No. 7656 of 2006()

CRIME NO.415/06 OF RANNY POLICE STATION.

PETITIONER/ACCUSED

C.S.YOUSEF, S/O. SAINUDEEN,
AGED 38 YEARS, RESIDING AT CHAKKALAYIL PURAYIDOM,
KATTOORPETTAH MURI, NARANGANAM P.O.,
RANNY TALUK.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 7656 of 2006

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DATED: 5th January 2007

O R D E R

Petitioner who is the accused in Crime No. 415/06 of Ranny Police Station for offences punishable under Sections 20 and 21 of the Kerala River Bank Protection and Sand Mining Regulation Act, 2001 and Sections 465, 468 and 471 read with Sec. 34 I.P.C., seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting, inter alia that the petitioner was the person who made available to the driver of the lorry (in which clandestine transport of sand was made) which was purchased for inspection by the police. The apprehension of the Public Prosecutor can be taken care of by imposing appropriate conditions.

3. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following

conditions:

1. Before releasing the petitioner on bail, the Investigating Officer shall subject him to custodial interrogation for the purpose of incriminating materials if any.

2. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

3. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

4. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

5. Petitioner shall not commit any offence while on bail.

6. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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